

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

REPUBLIC OF GUATEMALA,)	
)	
Petitioner,)	
)	
v.)	Case No.
)	
IC POWER ASIA DEVELOPMENT LTD.,)	
)	
Respondent.)	

TRANSMITTAL AFFIDAVIT OF RODNEY QUINN SMITH

I, Rodney Quinn Smith, hereby affirm as follows:

1. I am an attorney licensed to practice in the State of Florida. I have filed a *pro hac vice* motion for this case which is pending before this Court.

2. I am a partner at GST LLP, and counsel to the Republic of Guatemala (“Guatemala”) in this matter. I submit this affidavit to transmit to the Court the documents appended hereto as exhibits. The exhibits are as follows:

3. The Cutz Declaration is a declaration by Mr. Alexander Salvador Cutz Calderon, Director of the Unit of Foreign Trade in the Ministry Economy of Guatemala, attesting that the Agreement for the Reciprocal Promotion and Protection of Investments between Guatemala-Israel (appended to the Declaration as Exhibit A) is a correct and true copy.

4. Exhibit 1 is the arbitration award (the “Award”) rendered in the United Kingdom on October 7, 2020, by an arbitral tribunal (the “Tribunal”) constituted under the auspices of the

Permanent Court of Arbitration (the “PCA”) in *IC Power Asia Development Ltd. (Israel) v. Republic of Guatemala*, PCA Case No. 2019-43.

5. Exhibit 2 is the Certificate of Change of Name from IC Power Asia Development Ltd. to IC Power Pte. Ltd.

6. Exhibit 3 is the Notice of Arbitration filed by IC Power Asia Development Ltd. (“ICPA”) on February 20, 2018.

7. Exhibit 4 is the Letter from Pedro Aguirre Saravia, Managing Director, Citigroup Global Markets Inc., to Javier García & Joaquin Coloma, Inkia Energy Ltd. dated May 13, 2015.

8. Exhibit 5 is the Stock Purchase Agreement among IC Power Distribution Holdings Pte. Limited and DEORSA-DEOCSA Holdings Limited dated December 19, 2015.

9. Exhibit 6 is the Annual Report of Kenon Holdings Ltd. and its subsidiaries for the financial year ending December 31, 2016.

10. Exhibit 7 is the Share Transfer Agreement between Kenon Holdings Ltd., and IC Power Pte. Ltd dated May 17, 2016.

11. Exhibit 8 is a publication issued by Kenon Holdings Ltd. on December 30, 2015, titled “IC Power Ltd. Agrees to Acquire Energuate, a Private Electricity Distribution Business in Guatemala.”

12. Exhibit 9 is the Share Purchase Agreement by and among Inkia Energy Ltd., IC Power Distribution Holdings, Pte. Ltd., Nautilus Inkia Holdings LLC, Nautilus Distribution Holdings LLC, and Nautilus Isthmus Holdings LLC dated November 24, 2017.

13. Exhibit 10 is the Statement of Reply and Responses to Jurisdictional Objections filed in the Arbitration by ICPA on December 27, 2019.

14. Exhibit 11 is the Letter from Jorge Asensio Aguirre, García & Bodán, to Angela Grossheim & Daniel Urbina, ICPA dated October 28, 2015.

15. Exhibit 12 is the email from Thomas Lefebvre, I Squared Capital, to Yoav Doppelt, ICPA dated September 2, 2017.

16. Exhibit 13 is the email from Thomas Lefebvre, I Squared Capital, to Yoav Doppelt, ICPA dated October 9, 2017.

17. Exhibit 14 is the Witness Statement of Javier García-Burgos submitted by ICPA in the Arbitration.

18. Exhibit 15 is the Witness Statement of Daniel Urbina filed by ICPA in the Arbitration.

19. Exhibit 16 is the transcript of the second day's hearing in the Arbitration.

20. Exhibit 17 is an article published by Westlaw on January 20, 2017, titled "IC Power boosts IPO by \$300 million after entering electricity market."

21. Exhibit 18 is the Letter from the Ministry of Economy of Guatemala dated February 11, 2021.

Signed under penalty of perjury on January 14, 2022.

Respectfully submitted,

/s/ Quinn Smith

GST LLP

Quinn Smith

pro hac vice pending

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